

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 691 OF 2025

Rahul Bapurao Tonape

...Applicant

VERSUS

The State of Maharashtra

...Respondent

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Ms. Pooja Agarwal (through VC) a/w Mr. Tanmay Kate a/w
Mr. Akash Chikate , Advocate for the Applicant.

Mr. S. S. Chaudhari, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 08.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant is an accused in Crime No. 529 of 2015 registered at Pimpri Police Station, Dist-Pune for the offences punishable under Sections 307, 452, 504 r/w 34 of the Indian Penal Code, Section 4(25) of the Arms Act and Section 37(1) r/w 135 of the Maharashtra Police Act.
3. The applicant was on bail in the aforesaid crime. However due to non-appearance before the trial Court, the trial Court had issued non-bailable warrant against the applicant. Pursuant to the said non-bailable warrant, the applicant came to be arrested on 31.10.2024.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that certain preventive actions were taken against the applicant and therefore, he could not appear before the trial Court. It is submitted that the applicant is in jail for six months after his arrest pursuant to the non-bailable warrant and considering the said fact, he may be released on bail.

6. On the other hand, learned APP for the respondent/State submits that on two to three occasions, the applicant got non-bailable warrant cancelled and remained absent. It is submitted that the applicant is involved in eight crimes. It is submitted that the applicant, therefore, may not be released on bail.

7. Admittedly, the applicant was on bail in the crime in question. Considering the overall facts and circumstances and as the applicant is in jail for six months after his arrest pursuant to the non-bailable warrant, I am inclined to release him on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 529 of 2015 registered at Pimpri Police Station, Dist-Pune for the offences punishable under Sections 307, 452, 504

r/w 34 of the Indian Penal Code, Section 4(25) of the Arms Act and Section 37(1) r/w 135 of the Maharashtra Police Act, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the corporation limits of Pimpri Chinchwad, except to attend the dates before the trial Court, till conclusion of trial.

D] The applicant shall attend the concerned police station within whose jurisdiction he is going to reside after his release twice in a month, i.e., on first & third Saturday between 11:00 am to 2:00 pm.

E] The applicant shall not commit any other crime.

F] It would be open to the prosecution to file an application for cancellation of bail before the trial Court, if the applicant commits breach of any of the above conditions.

8. The Application stands disposed of accordingly.

(N. R. BORKAR, J.)